

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

PUBLIC HEALTH HEARING SECTION

September 23, 2011

Stacey Lee Williams
1546 Whitney Avenue
Hamden, CT 06518

Certified Mail 91-7108-2133-3932-0556-3252

Matthew Antonetti, Principal Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

Via Email

RE: Stacey Lee Williams, LPN– Petition No. 2010-5187

Dear Ms. Williams and Attorney Antonetti:

Enclosed please find a copy of the Memorandum of Decision issued by the **Board of Examiners for Nursing** in the above-referenced matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Kardys".

Jeffrey A. Kardys
Administrative Hearings Specialist/Board Liaison
Public Health Hearing Section

c: Wendy Furniss, Branch Chief, Healthcare Systems
Jennifer Filippone, Section Chief, Practitioner Licensing and Investigations
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**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BOARD OF EXAMINERS FOR NURSING**

Stacey Lee Williams, LPN
License No. 028551

Petition No. 2010-5187

MEMORANDUM OF DECISION

Procedural Background

On January 11, 2011, the Department of Public Health ("the Department") filed a Statement of Charges ("the Charges") with the Board of Examiners for Nursing ("the Board"). Bd Exh. 1. The Charges allege violations of Chapter 378 of the General Statutes ("the Statutes") by Stacey Lee Williams ("respondent") which would subject respondent's licensed practical nurse ("LPN") license to disciplinary action pursuant to §§ 19a-17 and 20-99(a) of the Statutes.

Based on the allegations in the Charges and the affidavits and reports attached to the Motion, the Board found that respondent's continued nursing practice presented a clear and immediate danger to public health and safety and ordered, on January 19, 2011, pursuant to §§ 4-182(c) and 19a-17(c) of the Statutes, that respondent's licensed practical nurse license be summarily suspended pending a final determination by the Board of the allegations contained in the Charges ("the Order"). Bd Exh. 1.

On January 26, 2011, the Charges, the Order, and a Notice of Hearing were delivered to respondent's address of record by State Marshal scheduling a hearing for February 2, 2011. Bd Exh. 1. The hearing was rescheduled and held on March 2 and April 6, 2011. Bd. Exhs. 2 and 3. Respondent was neither present nor represented on either hearing date. Attorney Diane Wilan represented the Department. Respondent did not file an Answer to the Charges. During the hearing on April 6, 2011, the Board granted the Department's Motion to Deem Allegations Admitted. Bd Exh. 4.

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record, the law, and the Board's specialized professional knowledge in evaluating the evidence.

Allegations in the Charges

1. In paragraph one, the Department alleges that respondent is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut license number 028551 to practice as a licensed practical nurse.

2. In paragraph two, the Department alleges that on or about October 22, 2007, respondent provided false and/or materially deceptive information on her Connecticut Renewal Application for Licensure to Practice as a Licensed Practical Nurse when respondent checked “no” when asked whether she had been convicted of a felony in the last year.
3. In paragraph three, the Department alleges that in or about May 2008, respondent provided false and/or materially deceptive information on her application for employment as a nurse at Soundview Healthcare when she falsely indicated that she had no felony convictions and provided an inaccurate social security number.
4. In paragraph four, the Department alleges that in or about December 2008, respondent provided false and/or materially deceptive information on her application for employment as a nurse at Jewish Home for the Elderly when respondent falsely indicated that she had no felony convictions and an inaccurate social security number.
5. In paragraph five, the Department alleges that in or around February 2007, respondent pleaded guilty to a felony of forgery in the State of Arizona.
6. In paragraph six, the Department alleges that the above described facts constitute grounds for disciplinary action pursuant to § 20-99(b) of the Statutes, including but not limited to § 20-99(b)(1) and/or § 20-99(b)(6).

Findings of Fact

1. The Department provided respondent with reasonable and adequate written notice of the allegations contained in the Charges. Tr. 4/6/11 p. 3, Bd. Ex. 1
2. Respondent did not file an Answer. Tr. 3/2/11 p. 4.
3. The factual allegations contained in paragraphs one through five of the Charges are deemed admitted and true. Bd Exh. 4, Tr. 4/6/11, pp. 4-5

Discussion and Conclusions of Law

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Goldstar Medical Services, Inc., et al. v. Department of Social Services*, 288 Conn. 790 (2008); *Swiller v. Comm’r of Public Health*, CV-950705601, Superior Court, J.D. Hartford/New Britain at Hartford, October 10, 1995; *Steadman v. SEC*, 450 U.S. 91, 101 S. Ct. 999, *reh’g den.*, 451 U.S. 933 (1981).

Section 20-99 of the Statutes provides, in pertinent part, that:

(a) The Board . . . shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing . . . said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17

(b) conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following: (1) Fraud or material deception in procuring or attempting to procure a license to practice nursing; . . . (6) fraud or material deception in the course of professional services or activities; . . .

The Notice of Hearing, Statement of Charges and the hearing process provided respondent with the opportunity to demonstrate compliance with all lawful requirements for the retention of her license as required by § 4-182(c) of the Statutes. Respondent did not submit an Answer to the Statement of Charges. Pursuant to § 19a-9-20 of the Regulations of Connecticut State Agencies the Board deemed the allegations in the Charges to be admitted.

The Board concludes that respondent's conduct as deemed to be admitted and true, constitutes grounds for disciplinary action pursuant to § 20-99(a) and 19a-17 of the Statutes.

Order

Based on the record in this case, the above findings of fact and conclusions of law, the Board hereby orders that respondent's license number 028551 to practice as a licensed practical nurse in the State of Connecticut is hereby **REVOKED**.

The Board of Examiners for Nursing hereby informs respondent, Stacey Lee Williams, and the Department of Public Health of the State of Connecticut of this decision, which becomes effective on the date signed by the Board of Examiners for Nursing.

Dated at Hartford, Connecticut this 21st day of September, 2011.

BOARD OF EXAMINERS FOR NURSING

By Patricia C Bouffard

Patricia Bouffard, Chairperson

CERTIFICATION

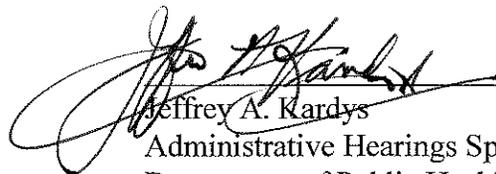
I hereby certify that, pursuant to Connecticut General Statutes § 4-180(c), a copy of the foregoing Memorandum of Decision was sent this 23rd day of September 2011, by certified mail, return receipt requested and first class mail to:

Stacey Lee Williams
1546 Whitney Avenue
Hamden, CT 06518

Certified Mail 91-7108-2133-3932-0556-3252

and via email to:

Matthew Antonetti, Principal Attorney
Legal Office
Department of Public Health
410 Capitol Avenue, MS #12LEG
Hartford, CT 06134-0308



Jeffrey A. Kardys
Administrative Hearings Specialist/Board Liaison
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